



W.P.No.909 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 11.01.2023

Coram:

**THE HON'BLE MR. JUSTICE ABDUL QUDDHOSE**

W.P.No.909 of 2023

S.Shobana

... Petitioner

Vs.

1.The District Collector,  
Office of the District Collector,  
Salem.

2.The Commissioner,  
Rural Development Department,  
Panagal Maligai,  
Saidapet,  
Chennai – 15.

3.The Chief Executive Officer,  
Tamil Nadu Kadar Village  
Industries Board,  
Kuralagam,  
Chennai – 600 108.

4.The Rural Development Department,  
Office of the District Collector,  
Salem.

... Respondents



W.P.No.909 of 2023

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the first respondent to appoint the petitioner on compassionate grounds in view of the recommendation made by the third respondent vide Na.Ka.No.22060/E 2 (1)/2013 dated 08.03.2018 within the time frame to be stipulated by this Court.

For Petitioner : Mr.L.P.Shanmugasundaram

For Respondents : Mr.Stalin Abimanyu,  
Additional Government Pleader

**ORDER**

By consent of both the parties, this writ petition has been taken up for final disposal at the admission stage itself.

2.This writ petition has been filed for a Mandamus seeking for a direction to the first respondent to appoint the petitioner on compassionate grounds in view of the recommendation made by the third respondent vide Na.Ka.No.22060/E 2 (1)/2013 dated 08.03.2018, within a time frame to be fixed by this Court.



W.P.No.909 of 2023

3.The petitioner seeks for a compassionate appointment on account of the death of her father Late V.Subburaj, while he was in service in the year 2006. The petitioner claims that immediately after the death of her father, she had applied for compassionate appointment with the respondents. However, till date, her request for compassionate appointment has not been considered by the respondents. The petitioner claims that she has completed B.P.T. Course and she would also contend that there are several vacancies available in the respondent department. It is also stated that a recommendation was also made by the third respondent on 08.03.2018 by his Proceedings recommending the case of the petitioner for compassionate appointment. According to the petitioner, despite the said recommendation, no compassionate appointment has been made in her favour. Since her representations have not been considered till date, she has filed this writ petition.

4.Heard Mr.L.P.Shanmugasundaram, learned counsel for the petitioner and Mr.Stalin Abimanyu, learned Additional Government Pleader, who accepts notice on behalf of the respondents.



W.P.No.909 of 2023

5.The petitioner has filed documents along with this writ petition to substantiate her claim that she is entitled for compassionate appointment. It is for the respondents to consider the same, on merits and in accordance with law.

6.Since the representations given by the petitioner are old ones, this Court is of the considered view that a fresh representation will have to be given by the petitioner based on the earlier recommendation made by the third respondent in his Proceedings dated 08.03.2018.

7.No prejudice would be caused to the respondents if a direction is issued to the respondents to consider the petitioner's representation seeking for compassionate appointment, on merits and in accordance with law, within a time frame to be fixed by this Court.

8.For the foregoing reasons, this Court directs the petitioner to submit a fresh representation to the first respondent requesting for compassionate appointment on account of the death of her father Late V.Subburaj, while he



W.P.No.909 of 2023

was in public service in the year 2006, based on the third respondent's recommendation dated 08.03.2018 by his Proceedings, within a period of one week from the date of receipt of a copy of this order. On receipt of the said representation, the first respondent shall pass final orders, on merits and in accordance with law on the said representation, within a period of twelve weeks from the date of receipt of a copy of this order.

9. With the above direction, this writ petition stands disposed of. No costs.

11.01.2023

vga  
Index: Yes/No



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W.P.No.909 of 2023

**ABDUL QUDDHOSE, J**

vga

To

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**W.P.No.909 of 2023**

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